

ORDINANCE NO. 96-33

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 PALM BEACH COUNTY COMPREHENSIVE PLAN ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED, AMENDING THE TEXT OF THE **RECREATION AND OPEN SPACE AND CAPITAL IMPROVEMENT ELEMENTS** (TO REVISE THE LEVEL OF SERVICE AND FUNDING FOR COMMUNITY PARKS) AND AMENDING ALL ELEMENTS AS NECESSARY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES OF PALM BEACH COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted a public hearing on April 19, April 26, and May 10, 1996, to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on May 20, 1996, to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, Palm Beach County received on August 9, 1996, the Department of Community Affairs "Objections, Recommendations, and

1 Comments Report," dated August 7, 1996, which was the Department's
2 written review of the proposed Comprehensive Plan amendments; and

3 WHEREAS, on September 4, 1996, the written comments submitted
4 by the Department of Community Affairs, and the Planning Division's
5 response to the written comments, were distributed to the Palm
6 Beach County Local Planning Agency for review, and to make
7 recommendations regarding adoption of the Comprehensive Plan
8 amendments; and

9 WHEREAS, on September 26, 1996, the Palm Beach County Board of
10 County Commissioners held a public hearing to review the written
11 comments submitted by the Department of Community Affairs and to
12 consider adoption of the amendments; and

13 WHEREAS, the Palm Beach County Board of County Commissioners
14 has determined that the amendments as modified satisfy the concerns
15 addressed in the Department of Community Affairs' "Objections,
16 Recommendations and Comments Report" and comply with all
17 requirements of the Local Government Comprehensive Planning and
18 Land Development Regulations Act.

19 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
20 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

21 Part I. Amendments to the 1989 Comprehensive Plan

22 Amendments to the text the Recreation and Open Space and
23 Capital Improvements Elements, to revise the level of service and
24 funding for Community Parks, of the Palm Beach County 1989
25 Comprehensive Plan are hereby adopted and are attached to this
26 Ordinance in Exhibit 1.

27 Part II. Repeal of Laws in Conflict

28 All local laws and ordinances applying to the unincorporated
29 area of Palm Beach County in conflict with any provision of this
30 ordinance are hereby repealed to the extent of such conflict.

31 Part III. Severability

32 If any section, paragraph, sentence, clause, phrase, or word
33 of this Ordinance is for any reason held by the Court to be
34 unconstitutional, inoperative or void, such holding shall not
35 affect the remainder of this Ordinance.

1 Part IV. Inclusion in the Code of Laws and Ordinances

2 The provision of this Ordinance shall become and be made a
3 part of the code of laws and ordinances of Palm Beach County,
4 Florida. The Sections of the Ordinance may be renumbered or
5 relettered to accomplish such, and the word "ordinance" may be
6 changed to "section," "article," or any other appropriate word.

7 Part V. Effective Date

8 The effective date of this plan amendment shall be the date a
9 final order is issued by the Department of Community Affairs or
10 Administration Commission finding the amendment in compliance in
11 accordance with Section 163.3184, Florida Statutes, whichever
12 occurs earlier. No development orders, development permits, or
13 land uses dependent on this amendment may be issued or commence
14 before it has become effective. If a final order of noncompliance
15 is issued by the Administration Commission, this amendment may
16 nevertheless be made effective by adoption of a resolution
17 affirming its effective status, a copy of which resolutions shall
18 be sent to the Department of Community Affairs, Bureau of Local
19 Planning, 2740 Centerview Drive, Tallahassee, Florida 32399-2100.

20 **APPROVED AND ADOPTED** by the Board of County Commissioners of
21 Palm Beach County, on the 26 day of September, 1996.

22 ATTEST:
23 DOROTHY H. WILKEN, Clerk

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

24 By: *Joan Haverly* Deputy Clerk
25 *[Signature]* Chair

26 APPROVED AS TO FORM AND
27 LEGAL SUFFICIENCY

28 *[Signature]*
29 COUNTY ATTORNEY

30 Filed with the Department of State on the 3rd day
31 of October, 1996.

EXHIBIT 1

Recreation and Open Space and Capital Improvements Elements to revise the Levels of Service and funding for Community Parks.

TEXT REVISIONS

R/OS Policy 1-c. The County shall adopt minimum levels of service for Regional, District and Beach Parks parks, recreation facilities and open space as a percentage of the recommended Countywide Standards to be attained by the year 1995, 2010, and Buildout as shown in **Tables 4, 5, and 5.1.**

TABLE 4
TOTAL PARK ACRES BY PARK CLASS
ADOPTED LEVELS OF SERVICE PER 1,000 PERSONS

<u>Park Class</u>	<u>Countywide Standard</u>	<u>(Acres per 1,000)</u>			
	<u>(acres/1,000)</u>	<u>1985*</u>	<u>1995</u>	<u>2010</u>	<u>Buildout</u>
Community	2.5	0.37	0.38	0.50 <u>N/A</u>	0.62 <u>N/A</u>
District	5.0	1.29	1.25	2.00	2.50
Regional	7.0	4.37	4.55	5.25	5.25
<u>Beach</u>	<u>0.5</u>	<u>0.35</u>	<u>0.36</u>	<u>0.36</u>	<u>0.36</u>
Total	15.0	6.38	6.54	8.11 <u>7.61</u>	8.73 <u>8.11</u>

* Existing L.O.S. in 1985

SOURCES:

Palm Beach County Parks and Recreation Department, 1989

TABLE 5
DEVELOPED PARK ACRES BY PARK CLASS
ADOPTED LEVELS OF SERVICE PER 1,000 PERSONS

<u>Park Class</u>	<u>Countywide Standard</u>	<u>(Acres per 1,000)</u>			
	<u>(acres/1,000)</u>	<u>1985*</u>	<u>1995</u>	<u>2010</u>	<u>Buildout</u>
Community	2.5	0.25	0.23	0.50 <u>N/A</u>	0.62 <u>N/A</u>
District	5.0	0.67	1.00	2.00	2.50
Regional	7.0	1.37	2.48	4.00	5.25
Beach	<u>0.5</u>	<u>0.23</u>	<u>0.27</u>	<u>0.33</u>	<u>0.36</u>
Total	15.0	2.52	3.98	6.83 <u>6.33</u>	8.73 <u>8.11</u>

* Existing L.O.S. in 1985

SOURCES: Palm Beach County Parks and Recreation Department, 1989

TABLE 5.1
RECREATION FACILITIES
ADOPTED LEVELS OF SERVICE PER 1,000 PERSONS

<u>Facility</u> <u>Park Class</u>	<u>(Units Per 1,000)</u>			
	<u>1985</u>	<u>1995</u>	<u>2010</u>	<u>B-Out</u>
<u>Special Facility</u>				
Marina (Boat Slips)	0.030	0.050	0.050	0.050
Boat Ramps	0.023	0.020	0.023	0.250
Golf Course (9-hole)	0.000	0.004	0.007	0.010
25 Meter Pool	0.004	0.004	0.005	0.006
<u>Active Facility</u>				
Tennis Court	0.040	0.050	0.055	0.062
Basketball Court	0.022	0.025	0.045	0.062
L.L. Baseball Field	0.027	0.034	0.037	0.043
Mjr.L. Baseball Field	0.014	0.016	0.018	0.020
Softball Field	0.018	0.018	0.019	0.020
Football/Soccer Field	0.029	0.029	0.031	0.033
Exercise Trl. (10 sta.)	0.018	0.020	0.024	0.025
Handball/Racquetball	0.041	0.037	0.041	0.043
Play Area	0.046	0.056	0.066	0.083
Volleyball Court	0.005	0.029	0.034	0.043
<u>Passive Facility</u>				
Camping (Acres)	0.060	0.055	0.060	0.070
Picnicking (Acres)	0.105	0.116	0.122	0.128
Fishing (Sites)	0.024	0.040	0.080	0.100
Hiking/Nature Trl (mi)	0.016	0.025	0.040	0.050
Bicycling Trail (mi)	0.016	0.010	0.020	0.025
Horse Riding Trl.(mi)	0.014	0.015	0.020	0.025

SOURCE: Palm Beach County Parks and Recreation Department, 1989

R/OS Policy 5-d. ~~Park impact fees~~ Planned Unit Development (PUD) Civic Site dedications, surplus land sales, County Recreation Assistance Programs and other alternative funding sources shall be utilized to help fund the acquisition and development of ~~community parks~~ Community Parks in order to meet the needs of ~~current and future residents needed as a result of growth.~~

CIE Policy 1-g. Recreation/Open Space

Development Orders, as identified in Policies 2-g and 2-h, shall be granted only if it is demonstrated that the minimum level of service for acquired acres is met and that the minimum level of service for developed acres can be achieved by carrying out the projects contained in the 6-Year Capital Improvement Program.

Urban Service Area

The minimum level of service for County parks and recreational facilities, for the Development Orders identified in Policies 2-g and 2-h, shall be a Countywide average of:

Regional:	4.37 acres acquired per 1,000 persons
	1.37 acres developed per 1,000 persons
Beach:	0.35 acres acquired per 1,000 persons
	0.23 acres developed per 1,000 persons
District:	1.25 acres acquired per 1,000 persons
	0.67 acres developed per 1,000 persons
Community:	0.37 acres acquired per 1,000 persons
	0.23 acres developed per 1,000 persons

Rural Service Area

The minimum level of service for County parks and recreational facilities, for the Development Orders identified in Policies 2-g and 2-h, shall be as identified for the Urban Service Area, ~~except that there shall be no minimum level of service for community parks in the rural service area.~~

Table 8, Six Year Schedule of Capital Improvements, has been revised and included as part of this amendment (see **Attachment A**). In the process of reviewing the CIE, it was discovered that a table of current and projected revenues and expenditures for the Parks & Recreation Department was missing. This table (TABLE 28) has been created and also included in **Attachment A**.

**ATTACHMENT A
TABLE 8**

**Palm Beach County
Six Year Schedule of Capital Improvements
(\$000)**

PARKS & RECREATION CAPITAL PROJECTS	FY95/96	FY 96/97	FY 97/98	FY 98/99	FY 99/00	FY 00/01	TOTAL
BEACH PARKS							
North County Fishing Pier	214	0	0	0	0	0	214
Ocean Cay Park	700	0	0	0	0	0	700
Dubois Park - Shoreline Stabilization	200	0	0	0	0	0	200
Ocean Inlet Park - Ntre & Shoreline	66	0	0	0	0	0	66
Jupiter Beach Park	83	0	0	0	0	0	83
Dubois Park Marina	50	262	0	0	0	0	312
Coral Cove Park S.	70	0	0	150	700	0	920
Carlin Park/Northside Improvements	0	75	300	0	0	0	375
Diamond Head/Radnor Park	0	0	0	0	0	100	100
Gulfstream Park	0	0	0	250	0	0	250
Beach Acquisition (S. Dist)	400	400	300	0	0	0	1,100
Ocean Ridge Hammock Park Impvts.	0	0	0	0	150	600	750
TOTAL BEACH PARKS	1,783	737	600	400	850	700	5,070
COMMUNITY PARKS							
West Jupiter Comm. Center	230	0	0	0	0	0	230
Silver Palm Park	50	0	0	0	0	0	50
Sandoway House Acquisition	25	0	0	0	0	0	25
Community Parks	5,000	20,000	0	0	0	0	25,000
TOTAL COMMUNITY PARKS	5,305	20,000	0	0	0	0	25,305
DISTRICT PARKS							
District Park "A"	2234	0	0	0	0	0	2,234
District Park "F" (Acreage) Land Acq.	0	75	75	75	75	0	300
District Park "D" (Acme) Land Acq.	0	100	100	100	100	0	300
District Park "B"/West Boynton	300	1400	1050	1100	1000	500	3,950
Peanut Island/Phase I Devel.	250	250	250	150	0	0	650
PBC Public Shooting Range	400	0	0	0	0	0	400
Lake Lytal Pool/Facility Enhancement	150	0	0	0	0	0	150
Lake Lytal Park/Westside Devel.	0	0	0	250	0	0	250
Santalucas Ath. Complex - Lights	100	0	0	0	0	0	100
Caloosa Park - In Line Skating	100	0	0	0	0	0	100
Peanut Island - Phase I Devel.	0	400	0	0	0	0	400
Sansbury Way Park	0	0	0	0	500	500	1,000
Community/District Reserves - 96	1400	0	0	0	0	0	1,400
TOTAL DISTRICT PARKS	4934	475	1475	1675	1675	1000	11,234

**ATTACHMENT A
TABLE 8 (CONT.)**

**Palm Beach County
Six Year Schedule of Capital Improvements**

	FY95/96	FY 96/97	FY 97/98	FY 98/99	FY 99/00	FY 00/01	TOTAL
REGIONAL PARKS							
John Prince Park/Maint. Expansion	225	150	0	0	0	0	375
John Prince Park/Admin. Building	100	0	1,000	0	0	0	1,100
John Prince Park Improvements	0	150	0	300	100	200	750
John Prince Park/Court Facilities	0	100	0	0	0	0	100
Morikami Park - Master Pl.	500	100	100	100	406	200	1,406
Okeeheelee Nature Ctr - Perm. Exhibit	200	100	0	0	0	0	300
Okeeheelee Park Tennis Courts	0	0	0	0	290	0	290
Okeeheelee Golf Course	12	0	0	0	0	0	12
So. County Reg. Park (Parcel A) Phase I	0	906	1,006	1,056	1,000	1,206	5,174
Morikami Park - Additional Area	1,503	0	0	0	0	0	1,503
Riverbend/Reese Grove Pk	200	700	737	1,087	687	1,287	4,698
District/Regional Land Acq.	270	300	300	200	200	200	1,470
Southwest County Pool	584	0	0	0	0	0	584
Cholee Park/Infrastructure Improvements	707	775	625	1,025	635	1,050	4,817
TOTAL REGIONAL PARKS	4,301	3,281	3,768	3,768	3,318	4,143	22,579
UNALLOCATED RESERVES							
Bond Proceed Interest	52	0	0	0	0	0	52
Unallocated Reserves	78	0	0	0	0	0	78
Unallocated Reserves	45	0	0	0	0	0	45
Unallocated Reserves	(1,325)	0	0	0	0	0	(1,325)
Unallocated Reserves	(165)	0	0	0	0	0	(165)
TOTAL UNALLOCATED RESERVES	(1,315)	0	0	0	0	0	(1,315)
TOTAL PARKS & RECREATION PROJECTS	15,008	24,493	5,843	5,843	5,843	5,843	62,873

l/c/p/amend/drafts.96-1/parklos/table8

**ATTACHMENT A
TABLE 28**

**PARKS AND RECREATION DEPARTMENT
CURRENT AND PROJECTED REVENUES AND PROPOSED EXPENDITURES**

<u>FUNDING SOURCES</u>	FISCAL YEARS						Total
	1996	1997	1998 (\$000)	1999	2000	2001	
Interest & Other	4,567	0	0	0	0	0	4,567
Grants	0	400	0	0	0	0	400
Impact Fees - Zone 1	1,478	1,587	1,587	1,587	1,587	1,587	9,413
Impact Fees - Zone 2	2,654	2,850	2,850	2,850	2,850	2,850	16,904
Impact Fees - Zone 3	1,309	1,406	1,406	1,406	1,406	1,406	8,339
From Reserves	0	0	0	0	0	0	0
Bond Proceeds - Comm. Parks	5,000	20,000	0	0	0	0	25,000
Budgeted Revenues	15,008	26,243	5,843	5,843	5,843	5,843	64,623
<u>EXPENDITURES</u>							
<u>Bond Proceeds</u>							
Okeeheelee Golf Course	12	0	0	0	0	0	12
Community Parks	5,000	20,000	0	0	0	0	25,000
Sub Total Bond Proceeds	5,012	20,000	0	0	0	0	25,012
<u>Impact Fees - Zone 1</u>							
Riverbend/Reese Grove Pk	200	700	737	1,087	687	1,287	4,698
North County Fishing Pier	214	0	0	0	0	0	214
Ocean Cay Park	700	0	0	0	0	0	700
District/Regional Land Acq.	270	300	300	200	200	200	1,470
Peanut Island/Phase I Devel.	250	250	250	150	0	0	900
Jupiter Beach Park	83	0	0	0	0	0	83
Dubois Park Marina	50	262	0	0	0	0	312
Coral Cove Park S.	70	0	0	150	700	0	920
Carlin Park/Northside Improvements	0	75	300	0	0	0	375
Diamond Head/Radnor Park	0	0	0	0	0	100	100
Unallocated Reserves	(165)	0	0	0	0	0	(165)
Sub-Total Zone 1	1,672	1,587	1,587	1,587	1,587	1,587	9,607
Zone 2							
Okeeheelee Nature Ctr - Perm. Exhibit	200	100	0	0	0	0	300
Okeeheelee Park Tennis Courts	0	0	0	0	290	0	290
PBC Public Shooting Range	400	0	0	0	0	0	400
District Park "A"	2,234	0	0	0	0	0	2,234
Lake Lytal Pool/Facility Enhancement	150	0	0	0	0	0	150
Lake Lytal Park/Westside Devel.	0	0	0	250	0	0	250
Santaluces Ath. Complex - Lights	100	0	0	0	0	0	100
District Park "B"/West Boynton	300	1,400	1,050	1,100	1000	500	5,350
John Prince Park/Maint. Expansion	225	150	0	0	0	0	375
John Prince Park/Admin. Building	100	0	1,000	0	0	0	1,100
John Prince Park Improvements	0	150	0	300	100	200	750
John Prince Park/Court Facilities	0	100	0	0	0	0	100
District Park "F" (Acreage) Land Acq.	0	75	75	75	75	0	300
District Park "D" (Acme) Land Acq.	0	100	100	100	100	0	400
Cholee Park/Infrastructure Improvements	707	775	625	1,025	635	1,050	4,817
Ocean Ridge Hammock Park Impvts.	0	0	0	0	150	600	750
Sansbury Way Park	0	0	0	0	500	500	1,000
Unallocated Reserves	(1,325)	0	0	0	0	0	(1,325)
Sub-Total Zone 2	3,091	2,850	2,850	2,850	2,850	2,850	17,341

**ATTACHMENT A
TABLE 28 (CONT.)**

**PARKS AND RECREATION DEPARTMENT
CURRENT AND PROJECTED REVENUES AND PROPOSED EXPENDITURES**

	FISCAL YEARS						
	1996	1997	1998	1999	2000	2001	Total
Zone 3			(\$000)				
Beach Acquisition (S. Dist)	400	400	300	0	0	0	1,100
Southwest County Pool	584	0	0	0	0	0	584
So. County Reg. Park (Parcel A) Phase I	0	906	1,006	1,056	1,000	1,206	5,174
Caloosa Park - In Line Skating	100	0	0	0	0	0	100
Morikami Park - Master Pl.	500	100	100	100	406	200	1,406
Gulfstream Park	0	0	0	250	0	0	250
Unallocated Reserves	45	0	0	0	0	0	45
Sub-Total Zone 3	1,629	1,406	1,406	1,406	1,406	1,406	8,659
<u>Bond Proceeds - \$30 Million Pk. Devel</u>							
Reserves	52	0	0	0	0	0	52
<u>Park Improvement Funds</u>							
Commission District Reserves - 96	1,400	0	0	0	0	0	1,400
West Jupiter Comm. Center	230	0	0	0	0	0	230
Silver Palm Park	50	0	0	0	0	0	50
Sandoway House Acquisition	25	0	0	0	0	0	25
Morikami Park - Additional Area	1,503	0	0	0	0	0	1,503
Dubois Park - Shoreline Stabilization	200	0	0	0	0	0	200
Ocean Inlet Park - Ntre & Shoreline	66	0	0	0	0	0	66
Peanut Island - Phase I Devel.	0	400	0	0	0	0	400
Reserves	78	0	0	0	0	0	78
Sub-Total Park Improvement Funds	3,552	400	0	0	0	0	3,952
Sub-Total Impact Fees	6,392	5,843	5,843	5,843	5,843	5,843	35,607
Sub-Total Bond Proceeds	5,012	20,000	0	0	0	0	25
Sub-Total Park Improvement Funds	3,552	400	0	0	0	0	3,952
Bond Proceeds	52	0	0	0	0	0	52
Total Revenues Available To Support Capital Expenditures	15,008	26,243	5,843	5,843	5,843	5,843	39,636
Total Capital Expenditures	15,008	26,243	5,843	5,843	5,843	5,843	64,623

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on 9/21/96
DATED at West Palm Beach, FL on 10/11/96
DOROTHY H. WILKEN, Clerk
By: Byllis A. House D.C.

Scale

FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM CODRS CODING FORM

Instructions: Florida's Department of State, Bureau of Administrative Code has developed the County Ordinance Data Retrieval System (CODRS) to facilitate the tracking of County ordinances in Florida's 67 Counties. CODRS' data base is composed of over 25,000 county ordinances enacted since 1974.

We request your cooperation in completing this coding form. It is to be completed whenever your county enacts a new ordinance. Simply complete this form and include it with other pertinent ordinance information that is submitted to the Bureau of Administrative Code.

To code this form properly, please refer to the "keyfields" description sheet that has been given to your County Attorney's Office. If you do not have this sheet please contact the Bureau. We will be happy to fax one to you for referencing purposes. Please fill out this form as completely as is possible.

Thank you for your assistance. Should you need further assistance please contact the Bureau of Administrative Code, Department of State at (904)-488-8427 or Suncom 278-8427.

COUNTY: (Palm Beach)	COUNTY ORDINANCE # (87-17) <small>(e.g., 83-001)</small>
PRIMARY KEYFIELD DESCRIPTOR: (Comprehensive Planning)	
SECONDARY KEYFIELD DESCRIPTOR: (Land Use Planning)	
OTHER KEYFIELD DESCRIPTOR: ()	
ORDINANCE DESCRIPTION: (Plan Text Amendment) <small>(25 characters maximum including spaces)</small>	
ORDINANCES AMENDED: <small>(List below the ordinances that are amended by the this legislation. If more than two, list the most recent two.)</small>	
AMENDMENT # 1: (); AMENDMENT # 2: ()	
ORDINANCES REPEALED: <small>(List below the ordinances that are repealed by this legislation.)</small>	
REPEAL # 1: (); REPEAL # 3: ();	
REPEAL # 2: (); REPEAL # 4: ();	
<small>(Others repealed: list all that apply):</small>	

(FOR OFFICE USE ONLY):	COUNTY CODE NUMBER: ()
KEYFIELD 1 CODE: ()	KEYFIELD 2 CODE: ()
KEYFIELD 3 CODE: ()	<small>Rev. 1/2/78</small>